

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 490 of 1996

WITH

SPECIAL CRIMINAL APPLICATION NO. 506 OF 1996

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.PARIKH

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

KOKILA DAHYABHAI PATEL

Versus

DASHRATHBHAI DAHYABHAI PATEL

Appearance:

In Spl. Criminal Appln. No. 490/1996 :

BY TELEGRAM for Petitioner

MR PK JANI for Respondent No. 1

MR AG URAIZEE, LD APP with MR MR ANAND, LD. PP for Respondents nos. 2 and 3.

In Spl. Criminal Appln. No. 506/1996 :

Thakkar Associates, L.A. for the petitioner

MR AG URAIZEE, LD. APP with MR MR ANAND, LD.PP for respondents.

CORAM : MR.JUSTICE M.S.PARIKH

Date of decision: 28/06/96

ORAL JUDGEMENT

Rule. Service of rule waived in both the matters

by Mr. A.G. Uraizee, Ld. APP with Mr. MR Anand, Ld. PP for the State and Mr. P.K. Jani, L.A. for respondent no.1

in Special Criminal Appln. No. 490/1996.

Heard. Mr. A.G. Uraizee, Ld. APP for the State places on record the report of the First Grade Head Constable, Taluka Kalol inter-alia stating therein that the application dated 17/3/1996 moved by the petitioner has been forwarded for further proceedings before the concerned authority and a chapter case has also been filed. The respondent no.1 of Special Criminal Application No. 490 of 1996 has also been warned to maintain peace. The petitioner Kokilaben and her mother Shantaben have been provided with the police protection also and the police protection has been continued. The prayer in both these petitions is for making of provision of the police protection.

In spite of the aforesaid facts Mr. Tirmizee contends that despite the police protection the petitioners' uncle Girishbhai Jivabhai Patel is required to give an application dated 10/6/1996 with regard to the incident which had taken place in March 1996. If the Government does not take any action with regard to the said application, it would be open to the petitioner to move the concerned Court. Since the protection has been afforded to the petitioner and her mother, for the present nothing further is required to be done in both these petitions. It is made clear that the protection is to be continued to the petitioners for a period of eight weeks from today.

Subject to what is observed above and in view of the report noted hereinabove, both these petitions are disposed of. Rule accordingly discharged. D.S.P.

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